

irreparable harm to human life, the environment, any mineral deposit, or property; or

(2) You post a surety bond under 30 CFR 250.1409 pending the appeal challenging an order to pay a civil penalty.

(b) This section applies rather than 43 CFR 4.21(a) for appeals of BSEE orders.

(c) After you file your appeal, IBLA may grant a stay of a decision or order under 43 CFR 4.21(b); however, a decision or order remains in effect until IBLA grants your request for a stay of the decision or order under appeal.

§ 290.8 How do I exhaust my administrative remedies?

(a) If you receive a decision or order issued under chapter II, subchapter B, you must appeal that decision or order to IBLA under 43 CFR part 4, subpart E to exhaust administrative remedies.

(b) This section does not apply if the Assistant Secretary for Land and Minerals Management or the IBLA makes a decision or order immediately effective notwithstanding an appeal.

Subpart B [Reserved]

PART 291—OPEN AND NON-DISCRIMINATORY ACCESS TO OIL AND GAS PIPELINES UNDER THE OUTER CONTINENTAL SHELF LANDS ACT

Sec.

291.1 What is BSEE's authority to collect information?

291.100 What is the purpose of this part?

291.101 What definitions apply to this part?

291.102 May I call the BSEE Hotline to informally resolve an allegation that open and nondiscriminatory access was denied?

291.103 May I use alternative dispute resolution (ADR) to informally resolve an allegation that and nondiscriminatory access was denied?

291.104 Who may file a complaint or a third-party brief?

291.105 What must a complaint contain?

291.106 How do I file a complaint?

291.107 How do I answer a complaint?

291.108 How do I pay the processing fee?

291.109 Can I ask for a fee waiver or a reduced processing fee?

291.110 Who may BSEE require to produce information?

291.111 How does BSEE treat the confidential information I provide?

291.112 What process will BSEE follow in rendering a decision on whether a grantee or transporter has provided open and nondiscriminatory access?

291.113 What actions may BSEE take to remedy denial of open and nondiscriminatory access?

291.114 How do I appeal to the IBLA?

291.115 How do I exhaust administrative remedies?

AUTHORITY: 31 U.S.C. 9701, 43 U.S.C. 1334.

SOURCE: 76 FR 64462, Oct. 18, 2011 unless otherwise noted.

§ 291.1 What is BSEE's authority to collect information?

(a) The Office of Management and Budget (OMB) has approved the information collection requirements in this part under 44 U.S.C. 3501 *et seq.*, and assigned OMB Control Number 1010-0172.

(b) An agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

(c) We use the information collected to determine whether or not the shipper has been denied open and nondiscriminatory access to Outer Continental Shelf (OCS) pipelines as sections of 5(e) and (f) of the OCS Lands Act (OCSLA) require.

(d) Respondents are companies that ship or transport oil and gas production across the OCS. Responses are required to obtain or retain benefits. We will protect information considered proprietary under applicable law.

(e) Send comments regarding any aspect of the collection of information under this part, including suggestions for reducing the burden, to the Information Collection Clearance Officer, Bureau of Safety and Environmental Enforcement, 381 Elden Street, Herndon, VA 20170.

§ 291.100 What is the purpose of this part?

This part:

(a) Explains the procedures for filing a complaint with the Director, Bureau of Safety and Environmental Enforcement (BSEE) alleging that a grantee or transporter has denied a shipper of production from the OCS open and nondiscriminatory access to a pipeline;